

Exhibit "3"

DISCLOSURE STATEMENT
This information is personal. It must be appropriately safeguarded from improper disclosure and it should only be made available for review by appropriate management levels having a need to know.

Check one:
SENIOR ☐
EXECUTIVE
SERVICE
(SES)

PERFORMANCE ☐
MANAGEMENT
AND
RECOGNITION
SYSTEM
(PMRS)

OTHER ☐

Check one:
ATTORNEY ☐

NON-ATTORNEY ☐

Name of Employee: _____

Position Title, Series, Grade: Senior Immigration Inspector, GS-1816-11

Organization: Honolulu District Office, Examinations Branch (Airport)

Rating Period (from/to): _____

BEST COPY AVAILABLE

ACKNOWLEDGEMENT OF DEVELOPMENT, DISCUSSION AND APPROVAL OF PERFORMANCE WORK PLAN

<i>Andrew Lopez</i> EMPLOYEE		
(SIGNATURE)	RATING OFFICIAL	REVIEWING OFFICIAL
5-6-97	(SIGNATURE)	(SIGNATURE)
(DATE)	(DATE)	(DATE)

PROGRESS REVIEW RECORD

EMPLOYEE'S SIGNATURE	EMPLOYEE'S SIGNATURE	EMPLOYEE'S SIGNATURE
SUPERVISOR'S SIGNATURE	SUPERVISOR'S SIGNATURE	SUPERVISOR'S SIGNATURE
DATE	DATE	DATE

**PERFORMANCE WORK PLAN, PROGRESS REVIEW RECORD, PERFORMANCE ACHIEVEMENTS,
INDIVIDUAL ELEMENT RATINGS, AND EMPLOYEE APPRAISAL RECORD**

PART I—PERFORMANCE WORK PLAN (PWP)**1. RESPONSIBILITIES:**

- A. THE RATING OFFICIAL must develop or review the Performance Work Plan (PWP):
1. At the beginning of each appraisal period; and
 2. With participation by the employee; and
 3. Sign the first page of the Performance Appraisal Record; and
 4. Obtain approval of the PWP by the Reviewing Official (*unless there is no higher level official*); and
 5. Provide a copy of the PWP to the employee.
- B. THE EMPLOYEE must sign the first page of the Performance Appraisal Record to acknowledge:
1. Participation in the development of the PWP; and
 2. Understanding of the PWP.
- C. THE REVIEWING OFFICIAL must:
1. Review the PWP to ensure consistency between individual elements; and
 2. Ensure that the standards for individual elements are generally consistent between all the PWP's of PMRS employees for whom he/she serves as Reviewing Official; and
 3. Sign the first page of the Performance Appraisal Record.

2. PROCEDURES. The PWP must meet the following requirements:

- A. Job elements must be written clearly, concisely and in sufficient detail to be meaningful; and
- B. The PWP must indicate whether an element is critical or noncritical (*a critical element is of sufficient importance that inadequate performance requires remedial action*); and
- C. If any of the critical elements are designated as carrying more weight or importance than the other critical elements, the greater weight of such elements must be specified in the PWP; and
- D. Performance standards must be written, as a minimum, at the Fully Successful level for each job element. (*Bureau level implementation instructions may require performance standards to be written at additional levels.*)

PART II—PROGRESS REVIEW RECORD

1. PURPOSE. At least one formal progress review, normally at the mid-point of the rating cycle, must be conducted to:
- A. Determine if the elements and standards of the PWP remain appropriate; and
 - B. Discuss progress in terms of meeting the standards; and
 - C. Identify any areas in which improvement is necessary to meet the Fully Successful level.

2. PROCEDURES.

- A. At the conclusion of the progress review, the Rating Official and the employee will sign the PWP to indicate the progress review was conducted; and
- B. If the job elements and standards remain appropriate and performance does not require remedial action, no further formal action is required; HOWEVER
- C. If the PWP is found to be in need of modification, the Rating Official will amend the PWP appropriately. The Rating Official must obtain approval of the amendment by the Reviewing Official (*unless there is no higher level official*); and/or
- D. If the employee's performance requires remedial action, the Rating Official will take appropriate steps including the initiation of formal actions, pursuant to the procedures in the Departmental performance appraisal policy issuances.

PART III—PERFORMANCE ACHIEVEMENTS AND**PART IV—INDIVIDUAL ELEMENT RATINGS****RESPONSIBILITIES**

THE RATING OFFICIAL must appraise the employee's performance on each critical (*and, if appropriate, noncritical*) element on which the employee has had a chance to perform by:

1. After reviewing his/her notes, briefly comparing each employee's achievements against performance standards; and
2. Assigning individual element ratings to each of the elements. (See Part VI, Rating Level Definitions, paragraph 1).

PART V—EMPLOYEE APPRAISAL RECORD**1. RESPONSIBILITIES:**

- A. THE RATING OFFICIAL must complete the appraisal record by:
1. Recording in concise language each element from the PWP onto the Employee Appraisal Record, indicating which elements are critical and weighted, if appropriate; and
 2. Transferring each element rating onto the Employee Appraisal Record; and
 3. Assigning an appropriate overall rating, taking into account the strengths and weaknesses of each individual element (See Part VI, Rating Level Definition, paragraph 2); and
 4. Signing the appraisal record; and
 5. Obtaining review and approval of the rating by a higher level official in the organization (*unless there is no higher level official*). This review and approval must occur **BEFORE** communication of the final rating to the employee; and
 6. Including any appropriate recommendation regarding pay, retention, reassignment, or other applicable personnel actions.

BEST COPY AVAILABLE

- B. THE REVIEWING OFFICIAL must:
1. Approve or adjust the tentative rating forwarded; and
 2. Sign the form and return it to the Rating Official for presentation to the employee.
- C. THE RATING OFFICIAL SHOULD:
1. Discuss the final performance rating with the employee; and
 2. Ask the employee to sign the Employee Appraisal Record; and
 3. Give the employee a copy of the Employee Appraisal Record, retaining a copy for himself/herself; and
 4. Send the original Performance Appraisal Record (PWP, Progress Review Record, Performance Achievements, Individual Element Rating Record, and Employee Appraisal Record) in its entirety, to the servicing administrative or personnel office (as appropriate) for processing and retention.
- D. THE EMPLOYEE SHOULD:
1. Sign the Employee Appraisal Record indicating the rating was discussed with him/her; and
 2. Understand that such signature by him/her does not constitute agreement with the rating assigned, nor forfeit any rights to grieve the rating.

PART VI—RATING LEVEL DEFINITIONS

INDIVIDUAL ELEMENT RATING LEVELS. The rating assigned on each individual element of the job may be Outstanding, Excellent, Fully Successful, Minimally Satisfactory, or Unacceptable.

- A. OUTSTANDING. Performance on an individual critical or noncritical element of the job which clearly demonstrates a level of achievement which exceeds to an exceptional degree the performance standards for Fully Successful established at the beginning of, or modified during, the rating period. Performance at this level so exceeds what is normally required of the job that it is deserving of special recognition.
- B. EXCELLENT. Performance on an individual critical or noncritical element of the job which markedly exceeds the performance standards for Fully Successful established at the beginning of, or modified during, the rating period.
- C. FULLY SUCCESSFUL. Performance on an individual critical or noncritical element of the job which completely meets, or exceeds to a limited degree, the performance standards for Fully Successful established at the beginning of, or modified during, the rating period.
- D. MINIMALLY SATISFACTORY. Performance on an individual critical or noncritical element of the job which just falls short of the performance standards for Fully Successful established at the beginning of, or modified during, the rating period. Performance at this level shows significant deficiencies that require correction.

E. UNACCEPTABLE. Performance on an individual critical or noncritical element of the job which is substantially below the performance standards for Fully Successful established at the beginning of, or modified during, the rating period. Usually the employee's performance will show serious deficiencies in terms of quantity, quality, timeliness of work, or manner of performance.

2. OVERALL RATING LEVELS. The adjective used to describe the overall performance level of the employee taking into account both strengths and weaknesses on each individual job element. The overall rating level assigned may be Outstanding, Excellent, Fully Successful, Minimally Satisfactory, or Unacceptable.

A. OUTSTANDING. Overall performance in which the employee consistently performs in an exceptional manner with respect to established performance standards. In the Individual Element Ratings, the employee must demonstrate "Outstanding" performance in a majority of the critical elements of the position and demonstrate "Excellent" performance in all other critical elements of the position, and no Individual Performance Element may be less than "Fully Successful."

B. EXCELLENT. Overall performance in which the employee consistently performs in a manner which exceeds to a marked degree established performance standards. In the Individual Element Ratings, a majority of the critical elements must be rated "Excellent" or higher and no Individual Performance Element may be less than "Fully Successful."

C. FULLY SUCCESSFUL. Overall performance in which the employee consistently performs in a manner which meets or exceeds to a limited degree the established performance standards. In the Individual Element Ratings, a majority of the critical elements must be rated "Fully Successful" or higher, no more than one critical element can be rated "Minimally Satisfactory"; and no Individual Performance Element may be less than "Minimally Satisfactory."

D. MINIMALLY SATISFACTORY. Overall performance which is marginally acceptable. It is demonstrated by "Minimally Satisfactory" performance in more than one critical element of the position provided that no critical element has been rated "Unacceptable." Performance at this level is deficient in important aspects of the job and requires improvement.

E. UNACCEPTABLE.* Overall performance deemed to be unsatisfactory. In the Individual Element Ratings, performance in one or more critical elements has been rated "Unacceptable."

3. In the event the critical elements are evenly divided between two rating levels, the rating official may select the more appropriate of the two levels (provided other applicable minimum requirements of the level selected are met).

BEST COPY AVAILABLE

001506

*--For SES (due to statutory provisions) this overall rating level is termed "UNSATISFACTORY"

PARTS I-IV
PERFORMANCE WORK PLAN, PROGRESS REVIEW RECORD,
PERFORMANCE ACHIEVEMENTS, AND INDIVIDUAL ELEMENT RATINGS

EMPLOYEE NAME: _____ PAGE 5 OF 20

ORGANIZATION: U.S. Immigration & Naturalization Service RATING PERIOD: _____

PART I--PERFORMANCE WORK PLAN (PWP)

A. JOB ELEMENT NUMBER AND TITLE (CRITICAL/NONCRITICAL/WEIGHTING, IF APPROPRIATE)

Job element no. 1: Determines prosecutability

☒ Critical

☐ Noncritical

B. PERFORMANCE STANDARD(S):

EXCELLENT:

Officer is thoroughly familiar with U. S. Attorney guidelines relating to prosecution - what is acceptable to prosecute and what is not. Performance exceeds the fully successful standard to the extent that the officer makes quick, accurate determinations of prosecutability on all routine cases. Is able to correctly assess even very complex cases 90% of the time with minimum guidance.

FULLY SUCCESSFUL:

Officer interviews suspect individuals to accurately determine if a prosecutable offense has been committed. In complex situations, employee is generally able to correctly determine if an offense is prosecutable, with some supervisory guidance. Recommendations made are more than 70% accurate based on his/her knowledge of immigration law and criminal statutory violations.

MINIMALLY SATISFACTORY:

Seldom makes an independent determination of prosecutability on even the most routine cases. A less than 70% accuracy rate mandates continuous supervisory guidance because of lack of basic knowledge of immigration law or criminal statutory violations.

BEST COPY AVAILABLE

001507

EMPLOYEE NAME: _____ PAGE 6 OF 20

PART II--PROGRESS REVIEW RECORD *(Progress Review Notes, if any)*

PART III--PERFORMANCE ACHIEVEMENTS *(Briefly compare employee's achievements against performance standards.)*

PART IV--INDIVIDUAL ELEMENT RATING *(See page 2 of the instructions for the definitions of the Individual Rating Levels.)*

OUTSTANDING ☐ EXCELLENT ☐ FULLY SUCCESSFUL ☐ MINIMALLY SATISFACTORY ☐ UNACCEPTABLE ☐

001508

PART I--PWP (continued)

JOB ELEMENT NUMBER AND TITLE (CRITICAL/NONCRITICAL/WEIGHTING, IF APPROPRIATE)

Job element no. 2: Presents case to U. S. Attorney for consideration of prosecution

☒ Critical

☐ Noncritical

B. PERFORMANCE STANDARD(S):

EXCELLENT:

Performance exceeds the fully successful standard to the extent that cases presented are complete and well-organized. Complaints and supporting documents are very well written and flow with a logical progression. Grammatical and technical errors are minimal and no more than 5% of all prepared cases require revision.

FULLY SUCCESSFUL:

Employee reviews evidence and testimony in consideration of presenting a case for prosecution to the appropriate representative of the U. S. Attorney's office. Cases prepared are generally complete and well organized. Not more than 20% of all cases are returned because of grammatical or technical errors.

MINIMALLY SATISFACTORY:

Cases prepared are incomplete and poorly organized, with frequent technical and grammatical errors. Supporting paperwork is inadequate. More than 20% of the cases reviewed are returned for revision.

BEST COPY AVAILABLE

001509

EMPLOYEE NAME: _____ PAGE 8 OF 20

PART II--PROGRESS REVIEW RECORD *(Progress Review Notes, if any)*

PART III--PERFORMANCE ACHIEVEMENTS *(Briefly compare employee's achievements against performance standards.)*

PART IV--INDIVIDUAL ELEMENT RATING *(See page 2 of the instructions for the definitions of the Individual Rating Level)*

OUTSTANDING ☐ EXCELLENT ☐ FULLY SUCCESSFUL ☐ MINIMALLY SATISFACTORY ☐ UNACCEPTABLE ☐

001510

PART I--PWP (continued)

JOB ELEMENT NUMBER AND TITLE (CRITICAL/NONCRITICAL/WEIGHTING, IF APPROPRIATE)

Job element no. 3: Gathers, analyses and disseminates intelligence information

☒ Critical

☐ Noncritical

B. PERFORMANCE STANDARD(S):

EXCELLENT:

Performance exceeds the fully successful standard in that the officer actively seeks intelligence information from new and existing sources and collates it in an informative manner. Devises improved methods of utilizing the available intelligence within and outside the Service, and disseminates pertinent data to the appropriate parties of interest. Case-related intelligence is gathered, received or disseminated and leads to prosecutions, or a cessation of activity. No deficiencies noted.

FULLY SUCCESSFUL:

Seeks intelligence information from various existing sources and collates it in an informative manner. Occasionally offers input in applying pertinent intelligence information to effective use. Disseminates data to other officers timely. Not more than two deficiencies noted within rating period.

MINIMALLY SATISFACTORY:

Rarely attempts to gather intelligence. Analysis, collation and dissemination of data is haphazard and sporadic. Offers little input into the intelligence operation and requires direction from supervisor to participate in the program. Three or more deficiencies documented within rating period.

BEST COPY AVAILABLE

001511

EMPLOYEE NAME: _____ PAGE 10 OF 20

II--PROGRESS REVIEW RECORD *(Progress Review Notes, if any)*

III--PERFORMANCE ACHIEVEMENTS *(Briefly compare employee's achievements against performance standards.)*

IV--INDIVIDUAL ELEMENT RATING *(See page 2 of the instructions for the definitions of the Individual Rating Levels.)*

OUTSTANDING ☐ EXCELLENT ☐ FULLY SUCCESSFUL ☐ MINIMALLY SATISFACTORY ☐ UNACCEPTABLE ☐

001512

PART I--PWP (continued)

JOB ELEMENT NUMBER AND TITLE (CRITICAL/NONCRITICAL/WEIGHTING, IF APPROPRIATE)

Job element no. 4: Provides training in areas of terrorism, drug, alien smuggling and document fraud, post academy and firearms.

- ☒ Critical
☐ Noncritical

B. PERFORMANCE STANDARD(S):

EXCELLENT:

Performance exceeds the fully successful standard in that the officer plans and provides frequent training updates to ensure general awareness of current fraud/criminal activity. Officer is resourceful in applying research and materials, including visual aids, for a more effective presentation. Progress evaluations are always done fairly and timely. Problems are addressed and solutions are offered to the maximum benefit of the trainees. No deficiencies noted.

FULLY SUCCESSFUL:

Develops and conducts timely training sessions for all officers at port of entry. Presents material that is current and technically accurate. Evaluations of student progress are done fairly and submitted timely for post academy class and/or firearms proficiency training. Not more than two deficiencies noted within rating period.

MINIMALLY SATISFACTORY:

Seldom conducts training sessions and only at the specific direction of a supervisor. Presents material that is inaccurate or not current. Ineffective in evaluating trainee's progress for post academy class and/or firearms proficiency training. Three or more deficiencies noted within rating period.

BEST COPY AVAILABLE

001513

EMPLOYEE NAME: _____ PAGE 12 OF 20

II-PROGRESS REVIEW RECORD (*Progress Review Notes, if any*)

III-PERFORMANCE ACHIEVEMENTS (*Briefly compare employee's achievements against performance standards.*)

IV-INDIVIDUAL ELEMENT RATING (*See page 2 of the instructions for the definitions of the Individual Rating Levels.*)

OUTSTANDING ☐ EXCELLENT ☐ FULLY SUCCESSFUL ☐ MINIMALLY SATISFACTORY ☐ UNACCEPTABLE ☐

001514

PART I-PWP (continued)

JOB ELEMENT NUMBER AND TITLE (CRITICAL/NONCRITICAL/WEIGHTING, IF APPROPRIATE)

Job element no. 5: Performs secondary inspection of applicants for admission

☐ Critical

☒ Noncritical

B. PERFORMANCE STANDARD(S):

EXCELLENT:

Officer exceeds the fully successful standard in that he/she consistently makes appropriate secondary inspection decisions. Readily accepts and completes secondary assignments, unless reassigned by a supervisor. Not more than two actions revised or rescinded by a supervisor.

FULLY SUCCESSFUL:

Conducts interviews, evaluates validity of documents and determines eligibility of those applicants for admission referred to secondary inspection. Completes all assigned cases, unless reassigned by a supervisor. Usually makes the appropriate decisions with no more than four actions revised or rescinded by a supervisor.

MINIMALLY SATISFACTORY:

Frequently makes inappropriate or inaccurate decisions during secondary inspection. Five or more actions revised or rescinded by supervisor during rating period.

BEST COPY AVAILABLE

001515

EMPLOYEE NAME: _____

PAGE 14 OF 20

PART II--PROGRESS REVIEW RECORD *(Progress Review Notes, if any)*

PART III--PERFORMANCE ACHIEVEMENTS *(Briefly compare employee's achievements against performance standards.)*

PART IV--INDIVIDUAL ELEMENT RATING *(See page 2 of the instructions for the definitions of the Individual Rating Levels.)*

OUTSTANDING ☐ EXCELLENT ☐ FULLY SUCCESSFUL ☐ MINIMALLY SATISFACTORY ☐ UNACCEPTABLE ☐

001516

EMPLOYEE NAME: _____ PAGE 15 OF 20

PART I-PWP (continued)

JOB ELEMENT NUMBER AND TITLE (CRITICAL/NONCRITICAL/WEIGHTING, IF APPROPRIATE)

Job element no. 6: Maintains an effective, courteous and professional relationship with the public, other federal agencies, fellow employees and managers.

☒ Critical

☐ Noncritical

B. PERFORMANCE STANDARD(S):

EXCELLENT:

Presents a highly favorable image in all manner of communication. Officer is without any documented incident of negative interaction with the public, other federal agencies, fellow employees or managers.

FULLY SUCCESSFUL:

Contributes to good public relations and teamwork with no more than one documented incident of negative interaction with the public, other federal agencies, fellow employees or managers.

MINIMALLY SATISFACTORY:

Officer receives no more than two documented incidents of negative interaction with the public, other federal agencies, fellow employees or managers during the rating period, requiring remedial action by a supervisor.

BEST COPY AVAILABLE

001517

EMPLOYEE NAME: _____ PAGE 16 OF 20

PART II--PROGRESS REVIEW RECORD *(Progress Review Notes, if any)*

PART III--PERFORMANCE ACHIEVEMENTS *(Briefly compare employee's achievements against performance standards.)*

PART IV--INDIVIDUAL ELEMENT RATING *(See page 2 of the instructions for the definitions of the Individual Rating Levels.)*

OUTSTANDING ☐ EXCELLENT ☐ FULLY SUCCESSFUL ☐ MINIMALLY SATISFACTORY ☐ UNACCEPTABLE ☐

001518

PART I--PWP (continued)

JOB ELEMENT NUMBER AND TITLE (CRITICAL/NONCRITICAL/WEIGHTING, IF APPROPRIATE)

Job element no. 7: Completes administrative assignments timely and accurately / Adheres to security requirements

☐ Critical

☒ Noncritical

B. PERFORMANCE STANDARD(S):

EXCELLENT:

Performance exceeds the fully successful standard in that administrative reports are submitted accurate and complete in a timely manner with no more than one deficiency noted. Employee observes security regulations with no more than one recorded violation.

FULLY SUCCESSFUL:

Officer performs administrative tasks and observes security requirements with no more than two administrative deficiencies or security violations documented within the rating period.

MINIMALLY SATISFACTORY:

Lacks efficiency in performance of administrative responsibilities. There are three or more documented errors or security violations occurring within the rating period.

BEST COPY AVAILABLE

001519

EMPLOYEE NAME: _____ PAGE 18 OF 20

PART II--PROGRESS REVIEW RECORD *(Progress Review Notes, if any)*

PART III--PERFORMANCE ACHIEVEMENTS *(Briefly compare employee's achievements against performance standards.)*

PART IV--INDIVIDUAL ELEMENT RATING *(See page 2 of the instructions for the definitions of the Individual Rating Levels.)*

OUTSTANDING ☐ EXCELLENT ☐ FULLY SUCCESSFUL ☐ MINIMALLY SATISFACTORY ☐ UNACCEPTABLE ☐

001520

EMPLOYEE NAME: _____ PAGE 19 OF 20

ORGANIZATION: U. S. Immigration and Naturalization Service

SOCIAL SECURITY NO.: _____ RATING PERIOD: _____

Check One

SES ☐ PMRS ☐ OTHER ☐

Check One

ATTORNEY ☐ NON-ATTORNEY ☐

ELEMENT NO.	CRITICAL/ NONCRITICAL	JOB ELEMENT TITLE (BRIEF/CONCISE)	WEIGHTING (IF APPROPRIATE)	ELEMENT RATING				
				O	E	ES	MS	U
1	Critical	Determines Prosecutability	BEST COPY AVAILABLE					
2	Critical	Presents case to U. S. Attorney for consideration of prosecution						
3	Critical	Gathers, analyses and disseminates intelligence information						
4	Critical	Provides training in areas of terrorism, drug, alien smuggling and document fraud, post academy and firearms						
5	NonCritical	Performs secondary inspection of applicants for admission						
6	Critical	Maintains an effective, courteous and professional relationship with the public, other federal agencies, fellow employees and managers						
7	NonCritical	Completes administrative assignments timely and accurately / Adheres to security requirements						

THIS IS A: RATING OF RECORD ☐ INTERIM RATING ☐

OVERALL PERFORMANCE RATING: (see page 2 of the instructions for the definitions of the Overall Rating Levels.)

OUTSTANDING ☐ EXCELLENT ☐ FULLY SUCCESSFUL ☐ MINIMALLY SATISFACTORY ☐ UNACCEPTABLE ☐
 (UNSATISFACTORY for SES)

RATING OFFICIAL COMMENTS ON OVERALL RATING (IF ANY):

001521

FOR ALL EMPLOYEES:

RATING OFFICIAL'S SIGNATURE

REVIEWING OFFICIAL'S SIGNATURE

EMPLOYEE'S SIGNATURE

(SIGNATURE)

(SIGNATURE)

(SIGNATURE)

(DATE)

(DATE)

(DATE)

NOTE: If you, as an employee, anticipate contesting any aspect of your rating(s), you are responsible for contacting your administrative or personnel office immediately for specific procedures to be followed.

FOR SES EMPLOYEES ONLY:

APPROVAL BY HEAD OF OFFICE, BOARD, DIVISION OR BUREAU:

(SIGNATURE)

(DATE)

(TITLE)

PERFORMANCE REVIEW BOARD ACTION:

CONCUR ☐ NONCONCUR ☐

(SIGNATURE)

(DATE)

CHAIRMAN, PERFORMANCE REVIEW BOARD

FINAL ACTION BY DEPUTY ATTORNEY GENERAL ON

(DATE)

APPROVED ☐ DISAPPROVED ☐

001522